

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA

v.

WAYNE SHELBY SIMMONS

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**Criminal No. 1:15-cr-293
Civil Action No. 1:17-cv-88**

ORDER

The matter is before the Court on the government's motion for leave to file its response out of time. (Doc. 139). The government's response was due by 5:00 p.m. on March 20, 2017, but the government did not file its response until 12:02 a.m. on March 21, 2017 due to a scheduling error. Parties may move for an extension of time after a deadline has passed. See Rule 6(b)(1)(B), Fed. R. Civ. P.

Accordingly, and for good cause,

It is hereby **ORDERED** that the government's motion for leave to file its response out of time is **GRANTED**.

The Clerk is directed to send a copy of this Order to the defendant and all counsel of record.

Alexandria, Virginia
March 21, 2017



T. S. Ellis, III
United States District Judge